

ORDINANCE NO. 20060727-142

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5775 AIRPORT BOULEVARD IN THE HIGHLAND NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-MU-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-MU-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district on the property described in Zoning Case No. C14-06-0110, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.579 acre tract of land, more or less, out of the James P. Wallace Survey No. 57, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5775 Airport Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

PART 4. The Property is subject to Ordinance No. 040513-33B that established the Highland neighborhood plan combining district.

PART 5. This ordinance takes effect on August 7, 2006.

PASSED AND APPROVED

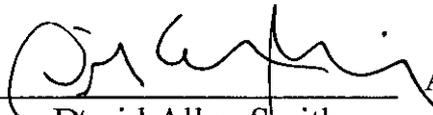
July 27, 2006

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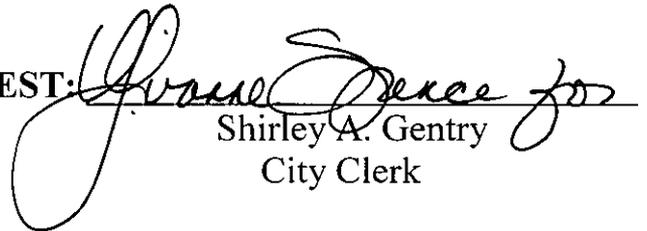
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

EXHIBIT A

**0.579 ACRE
ZONING DESCRIPTION**

A ZONING DESCRIPTION OF 0.579 ACRES (APPROXIMATELY 25,200 S.F.) IN THE JAMES P. WALLACE SURVEY NO. 57, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, J. GRANT WEBSTER SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 12, PAGE 72, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO HIGHLAND COMMONS SHOPPING CENTER, LTD., BY SPECIAL WARRANTY DEED, DATED MARCH 23, 1999, RECORDED IN VOLUME 13396, PAGE 1718, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.579 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

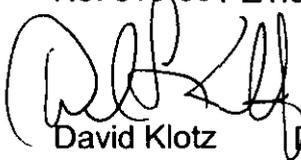
BEGINNING at a point in Lot 1, J. Grant Webster Subdivision being also the north corner of the existing commercial building, from which a 1/2" rebar found for the north corner of Lot 1, J. Grant Webster Subdivision, being also the east corner of the Lot 2-A, Resubdivision of Lot 2, J. Grant Webster Subdivision, a subdivision of record in Book 14, Page 55, and in the southwest line of Lot 2, Austin Mall Subdivision, a subdivision of record in Book 48, Page 87, both of the Plat Records of Travis County, Texas bears North 41°49'00" West, a distance of 5.26 feet and North 48°11'00" East, a distance of 3.35 feet;

THENCE continuing over the said Lot 1, J. Grant Webster Subdivision the following sixteen (16) courses:

1. South 59°25'58" East, a distance of 187.82 feet to a point;
2. South 46°51'57" West, a distance of 5.13 feet to a point;
3. South 59°27'44" East, a distance of 5.53 feet to a point;
4. South 30°32'16" West, a distance of 32.88 feet to a point;
5. North 59°27'44" West, a distance of 15.36 feet to a point;
6. South 46°48'11" West, a distance of 18.49 feet to a point;
7. South 43°11'49" East, a distance of 1.35 feet to a point;
8. South 46°48'11" West, a distance of 100.95 feet to a point;
9. North 44°09'01" West, a distance of 90.23 feet to a point;

10. South 45°50'59" West, a distance of 7.30' feet to a point;
11. North 44°09'01" West, a distance of 83.20 feet to a point;
12. North 45°50'59" East, a distance of 6.70 feet to a point;
13. North 44°22'33" West, a distance of 7.14 feet to a point;
14. North 46°19'30" East, a distance of 110.00 feet to the **POINT OF BEGINNING**, containing an area of 0.579 acres of land, more or less.

Surveyed on the ground April 24, 2006. Bearing basis is the northwest line of Lot 1, J Grant Webster Subdivision, i.e. North 48°11'00" East. Attachments: Survey Drawing No. 510-001-Z1.dwg.

 05/10/06

David Klotz Date
Registered Professional Land Surveyor
State of Texas No. 5428

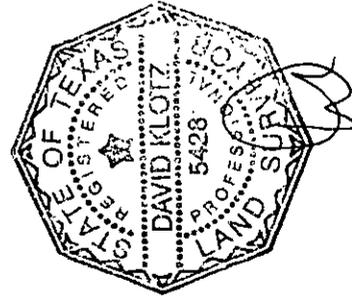


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.579 ACRES (APPROXIMATELY 25,200 S.F.) IN THE JAMES P. WALLACE SURVEY NO. 57, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, J. GRANT WEBSTER SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 12, PAGE 72, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO HIGHLAND COMMONS SHOPPING CENTER, LTD., BY SPECIAL WARRANTY DEED, DATED MARCH 23, 1999, RECORDED IN VOLUME 13396, PAGE 1718, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE		
No.	BEARING	LENGTH
L1	S46°51'57"W	5.13'
L2	S59°27'44"E	5.53'
L3	S30°32'16"W	32.88'
L4	N59°27'44"W	15.36'
L5	S46°48'11"W	18.49'
L6	S43°11'49"E	1.35'
L7	S45°50'59"W	7.30'
L8	N45°50'59"E	6.70'
L9	N44°22'33"W	7.14'

LEGEND	
●	1/2" REBAR FOUND
○	CALCULATED POINT
()	RECORD DATA
---/---/---	OVERALL BUILDING

BUILDING DIMENSIONS AND FLOOR AREA WERE DERIVED BY A COMBINATION OF FIELD MEASUREMENTS ON THE EXTERIOR OF THE BUILDING AND THE INTERIOR WALLS, AND BY UTILIZING AN ARCHITECTURAL FLOOR PLAN CREATED BY HODGES, LUECKE, CRAWLEY ARCHITECTS, DATED 09/01/1984 AND PROVIDED BY BURY + PARTNERS CONSULTING ENGINEERS.

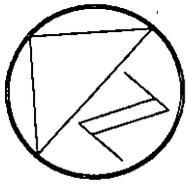


BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 510-001-Z1.DOC

DATE OF SURVEY: 4/24/06
 PLOT DATE: 05/10/06
 DRAWING NO.: 510-001-Z1
 PROJECT NO.: 510-001
 SHEET 2 OF 2

Chaparral



1" = 50'

LOT 2-A
RESUB OF LOT 2
J. GRANT WEBSTER SUBDIVISION
(14/55)

BEARING BASIS
N48°11'00"E 288.36'
(N48°11'00"E 288.45')

83.86'

11.79'

N48°11'00"E

3.35'

N41°49'00"W

5.26'

N46°19'30"E 110.00'

P.O.B.

L9

L8

N44°09'01"W
83.20'

APPROXIMATE
LOCATION
OF INTERIOR
WALL

ONE STORY
BRICK FACED
COMMERCIAL
BUILDING
(APPROXIMATELY)
(41,930 S.F.)

0.579 ACRE
(APPROX. 25,200 S.F.)

N44°09'01"W
90.23'

L6

S46°48'11"W
100.95'

L1

L2

L5

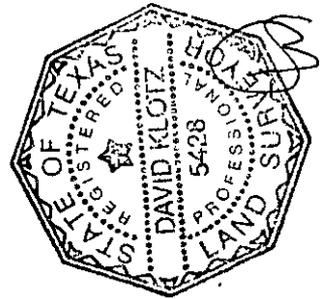
L4

S59°31'49"E 168.34'
(S59°31'00"E 168.33')

LOT 2
AUSTIN MALL SUBD.
(48/87)

LOT 1
AUSTIN MALL
SUBDIVISION
(48/87)

LOT 1
J. GRANT WEBSTER
SUBDIVISION
(12/72)



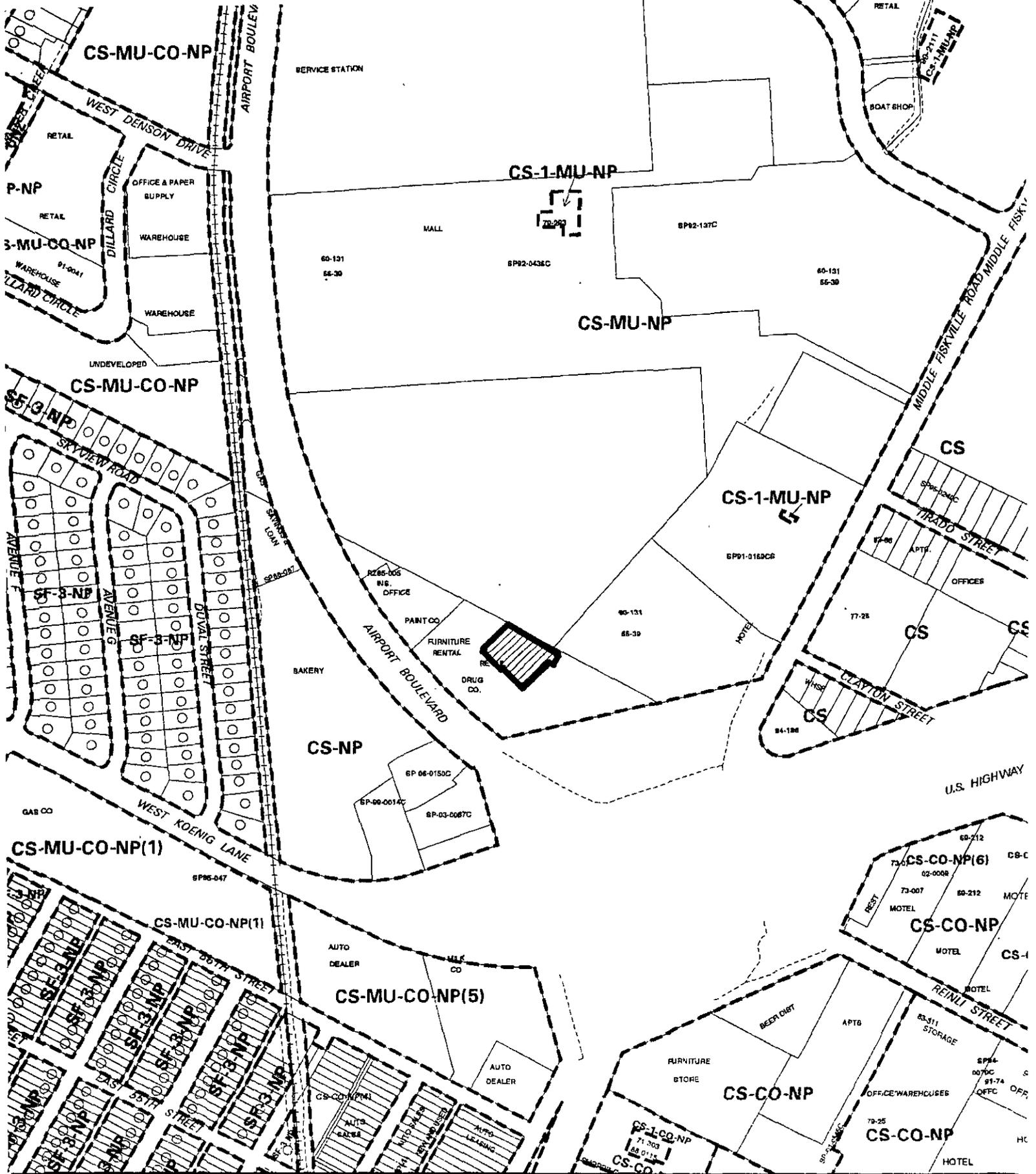
BEARING BASIS: GRID AZIMUTH FOR
TEXAS CENTRAL ZONE, 1983/93
HARN VALUES FROM LCRA CONTROL
NETWORK

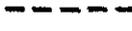
ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 510-001-Z1.DOC

AIRPORT BOULEVARD
(RIGHT-OF-WAY WIDTH VARIES)

DATE OF SURVEY: 4/24/06
PLOT DATE: 05/10/06
DRAWING NO.: 510-001-Z1
PROJECT NO.: 510-001
SHEET 1 OF 2

Chaparal



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B3	CITY GRID REFERENCE NUMBER D37
	PENDING CASE 		
	ZONING BOUNDARY 		
	CASE MGR: J.ROUSSELIN		
CASE #: C14-06-0110		DATE: 06-05	
ADDRESS: 5775 AIRPORT BLVD		INTLS: SM	
SUBJECT AREA (acres): 0.579			